

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

NORTHWEST ENVIRONMENTAL  
ADVOCATES,

Plaintiff,

v.

THE U.S. ENVIRONMENTAL  
PROTECTION AGENCY,

Defendants.

No. 2:20-cv-01362-MJP

DEFENDANT’S MOTION TO  
EXTEND DATE TO RESPOND  
TO COMPLAINT AND FILE THE  
ADMINISTRATIVE RECORD

NOTED ON MOTION  
CALENDAR: October 30, 2020

Defendant, the United States Environmental Protection Agency (“EPA”), requests a twenty-one-day extension – from November 25, 2020, to and including December 16, 2020 – of the deadline for filing its response to the Complaint and the administrative record. On October 26 and 27, 2020, undersigned counsel conferred with counsel for Plaintiff, who indicated that Plaintiff does not oppose this Motion. In support of this Motion, Defendant provides the following.

Under Federal Rule of Civil Procedure 12(a)(2), Defendant’s answer to the complaint is due “within 60 days after service on the United States attorney.” Under Local Rule 79, the

Motion to Extend  
2:20-cv-01362

U.S. Dept. of Justice  
P.O. Box 7611  
Washington, D.C. 20044  
202-598-3141

1 administrative record of any agency proceeding shall be filed at the time of the answer. Under  
 2 these rules, the date for filing Defendant's answer and administrative record also is November  
 3 25, 2020. Given the schedules and caseload of undersigned counsel at the United States  
 4 Department of Justice and the time necessary to coordinate with EPA on the response to the  
 5 Complaint, as well as to assemble and complete review of the documents that comprise the  
 6 administrative record, an extension is warranted here under Local Rule 7(j). Defendant therefore  
 7 requests that the Court grant a twenty-one day extension, to December 16, 2020, of the deadline  
 8 to file a response to the Complaint and the administrative record.  
 9

10 A proposed form of order is being submitted pursuant to Local Rule 10(e)(7).

11 DATED: October 30, 2020

12 ERIC GRANT  
 13 Deputy Assistant Attorney General  
 14 Environment & Natural Resources Division  
 15 United States Department of Justice

16 /s/ Elisabeth H. Carter  
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*Attorneys for Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to all counsel of record in this matter.

s/ Elisabeth H. Carter  
ELISABETH H. CARTER